

1 Kevin J. McInerney (SBN 46941)  
2 [kevin@mcinerneylaw.net](mailto:kevin@mcinerneylaw.net)  
3 18124 Wedge Parkway #503  
4 Reno, Nevada 89511  
5 Tel: (775) 849-3811  
6 *Attorney for Plaintiffs*

7 MORGAN, LEWIS & BOCKIUS LLP  
8 CARRIE A. GONELL, SBN 257163  
9 [cgonell@morganlewis.com](mailto:cgonell@morganlewis.com)  
10 JOHN D. HAYASHI, SBN 211077  
11 [jhayashi@morganlewis.com](mailto:jhayashi@morganlewis.com)  
12 ALEXANDER L. GRODAN, SBN 261374  
13 [agrodan@morganlewis.com](mailto:agrodan@morganlewis.com)  
14 600 Anton Boulevard, Suite 1800  
15 Costa Mesa, CA 92626-7653  
16 Tel: 714.830.0600  
17 Fax: 714.830.0700

18 *Attorneys for Defendant*

19 UNITED STATES DISTRICT COURT  
20 CENTRAL DISTRICT OF CALIFORNIA

21 KEMAH HENDERSON,  
22 TAQUONNA LAMPKINS,  
23 CAROLYN SALAZAR and  
24 TAMANA DALTON, individually and  
25 on behalf of all others similarly  
26 situated,

27 Plaintiffs,

28 vs.

JPMORGAN CHASE BANK; and  
DOES 1 through 50, inclusive,  
Defendants.

Case No. 11-CV-03428 PSG (PLAx)

**JOINT STIPULATION TO BRIEFLY  
CONTINUE TRIAL DATES**

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs  
2 KEMAH HENDERSON, TAQUONNA LAMPKINS, CAROLYN SALAZAR, and  
3 TAMANA DALTON (“Plaintiffs”) and Defendant JPMORGAN CHASE BANK,  
4 N.A. (“Defendant”) (collectively, the “Parties”), by and through their respective  
5 counsel of record, as follows:

6 WHEREAS, on November 21, 2017, the Court issued an Order setting trial  
7 in this case for February 27, 2018 (9:00 a.m.), and the Final Pretrial Conference  
8 for February 12, 2018 (2:30 p.m.);

9 WHEREAS, the Parties intend to conduct additional limited factual  
10 discovery related to Plaintiffs’ seating claims pursuant to the factors outlined in  
11 the California Supreme Court’s decision in *Kilby v. CVS Pharmacy, Inc.*, 63 Cal.  
12 4th 1 (2016);

13 WHEREAS, Defendant is noticing the deposition of Plaintiff Tamana  
14 Dalton and Plaintiff’s expert witness Gary Bakken;

15 WHEREAS, the deadline for expert testimony disclosure has already  
16 passed pursuant to Rule 26(a)(2)(D) of the Federal Rules of Civil Procedure;

17 WHEREAS, Plaintiffs have informed Defendant that they intend to  
18 simultaneously with this Stipulation file an expedited motion with the Court  
19 seeking an order clarifying the scope of trial set by the Court’s trial date and,  
20 while Defendant Chase submits that there is no need for clarification and that any  
21 request for interlocutory appeal should be denied, Chase has cooperated with  
22 counsel for Plaintiffs to agree as follows (with the Court’s permission): Chase  
23 will file its opposition to Plaintiffs’ request by January 3 and the parties agree  
24 that the Court may consider Plaintiffs’ request based on these two briefs without  
25 need for oral argument (unless the Court wishes oral argument on the Request);

26 WHEREAS, the Parties agree that the Parties and the Court will benefit  
27 from a brief continuation of the trial dates so that the parties can complete  
28 discovery, briefing on Plaintiffs’ anticipated motion, and other necessary trial

1 preparations;

2 THEREFORE, the Parties HEREBY STIPULATE and request that the Court  
3 continue the trial date until April 24, 2018, at 9:00 a.m., or as soon thereafter as  
4 may be convenient to the Court's calendar. The Parties further request that the  
5 Court set the following pretrial schedule:

- 6 • January 15, 2018 – Deadline for Parties to update disclosures
- 7 • February 15, 2018 – Deadline for expert disclosures for all merits experts
- 8 • February 28, 2018 – Deadline for Parties to complete written discovery  
9 and non-expert depositions
- 10 • March 15, 2018 – Deadline for any rebuttal expert disclosures
- 11 • March 31, 2018 – Deadline for Parties to complete all expert depositions
- 12 • April 5, 2018 – Final Pretrial Conference

13 The Parties are making this request in good faith and not for purposes of  
14 delay. Further, the Parties agree that no prejudice will result if the Court enters an  
15 Order on this Stipulation.

16 **IT IS SO STIPULATED.**

17 Dated: December 21, 2017

Kevin J. McInerney, Esq.

18 /s/ Kevin J. McInerney  
19 Kevin J. McInerney  
20 Attorney for Plaintiffs Henderson and Lampkins

21 Dated: December 21, 2017

Capstone Law APC

22 /s/ Melissa Grant  
23 Melissa Grant  
24 Attorney for Plaintiff Salazar

25 Dated: December 21, 2017

The Ozzello Practice PC

26 /s/ Mark Ozzello  
27 Mark Ozzello  
28 Attorney for Plaintiff Dalton

1 Dated: December 21, 2017

Morgan, Lewis & Bockius LLP

2 /s/ Carrie A. Gonell  
3 Carrie A. Gonell  
4 *Attorney for Defendants*

5  
6 **ATTESTATION**

7 I, Carrie Gonell, am the ECF user whose identification and password are  
8 being used to file this Stipulation and [Proposed] Order to Continue the Scheduling  
9 Conference. In compliance with Civil L.R. 5-4.3.4, I hereby attest that all other  
10 signatories, and on whose behalf the filing is submitted, concur in the filing's  
11 content and have authorized the filing.

12 DATED: December 21, 2017

MORGAN LEWIS & BOCKIUS LLP

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14 By: /s/ Carrie A. Gonell  
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